

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

4

UTILITY PATENT APPLICATION TRANSMITTAL

Only for new nonprovisional applications under
37 C.F.R. 1.53(b)

Attorney Docket No.

3183.1000-001

First Named Inventor or
Application Identifier

Kin Chung Fung

Express Mail Label No.

EV005368389US

Title of
Invention

System and Method for Measuring and Analyzing Performance Data

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO:

Commissioner for Patents
Box Patent Application
P.O. Box 2327, Arlington, VA 22202

1. ☒ Fee Transmittal Form
(Submit an original, and a duplicate for fee processing)
2. ☒ Specification **Total Pages 37**
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross References to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
3. ☒ Drawing(s) (35 U.S.C. 113) **Total Sheets 23**
 - ☐ Fig. of the Drawings for Publication ☐
 - ☒ No Figure to be Published
4. ☒ Oath or Declaration **Total Pages [2]**
 - a. ☒ Newly executed (original or copy)
 - b. ☐ Copy from a prior application (37 C.F.R. 1.63(d))
(for continuation/divisional with Box 17 completed)
 - i. ☐ DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. 1.63(d)(2) and 1.33(b).
5. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)

6. ☐ Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
 - a. ☐ Computer Readable Form
 - b. ☐ Paper Copy (identical to computer copy)
☐ Pages
 - c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

7. ☒ Assignment Papers (cover sheet & documents)
☐ Assignee -
8. ☒ Power of Attorney ☒ 37 C.F.R. 3.73(b) Statement
9. ☐ English Translation Document (if applicable)
10. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
11. ☐ Preliminary Amendment
12. ☒ Return Receipt Postcard
13. ☐ Small Entity Statement(s)
- 14a. ☐ Foreign Priority Claim under 35 U.S.C. §119 or 365
- 14b. ☐ Certified Copy of Priority Document(s)
15. ☒ Nonpublication Request (check parent application)
16. ☒ Other Appendix A

17. If a **CONTINUING APPLICATION**, check appropriate box; supply the requisite information.

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.:

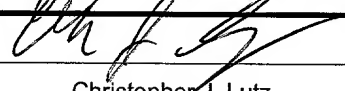
Prior application information: Examiner:

Group Art Unit:

The entire disclosure of the prior application is considered a part of the disclosure of the accompanying application and is hereby incorporated by reference.
(Add standard Related Applications section with incorporation by reference to specification or update same)

18. CORRESPONDENCE ADDRESS

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Signature		Date	2/21/02
Submitted by Typed or Printed Name	Christopher J. Lutz	Reg. Number	44,883

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

FEE TRANSMITTAL FOR PATENT APPLICATIONS	Attorney Docket Number	3183.1000-001
	Application Number	
	First Named Inventor	Kin Chung Fung

CLAIM CALCULATION (includes any preliminary amendment)

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS (37 CFR 1.16(c) or (j))	75 - 20* =	55	x \$ 18 =	\$ 990
	INDEPENDENT CLAIMS (37 CFR 1.16(b) or (i))	9 - 3** =	6	x \$ 84 =	\$ 504
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))			+ \$ 280 =	\$
				BASIC FEE (37 CFR 1.16(a) or (h))	\$ 740
				Total of above Calculations =	\$ 2234
	Reduction by 50% for filing by small entity (37 CFR 1.9, 1.27, 1.28) =				\$
				TOTAL =	\$ 2234
	Surcharge - Late Filing of Declaration or Filing Fees (37 C.F.R. 1.16(e)) =				\$
	Petition for Extension of Time Fee (37 C.F.R. 1.17) =				\$
	Assignment Recordation Fee = (only when filed with application)				\$ 40
	* Reissue claims in excess of 20 and over original patent ** Reissue independent claims over original patent			TOTAL =	\$ 2274


1. Small entity status:

- a. ☐ A small entity statement is enclosed.
- b. ☐ A small entity statement was filed in the prior non-provisional application and such status is still proper and desired.
- c. ☐ Is no longer claimed.

2. ☒ A general authorization is hereby granted to charge deposit account number 08-0380 for any fees required under 37 CFR 1.16 and 1.17 in order to maintain pendency of this application. A copy of this authorization is enclosed for accounting purposes.

3. ☒ A check is enclosed for \$2274.00. ☐ Please charge \$[] to Deposit Account No. 08-0380.

4. ☐ Other: _____

Signature		Date	2/21/02
Submitted by Typed or Printed Name	Christopher J. Lutz	Reg. Number	44,883

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.



02-21-2002

U.S. Patent & TMOfo/TM Mail Rcpt Dt. #22

**DECLARATION
AND
CERTIFICATION
UNDER
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor

Kin Chung Fung

Attorney Docket No.

3183.1000-001

Express Mail Label No.

EV005368389US

Title of
Invention

System and Method for Measuring and Analyzing Performance Data

Pursuant to 37 C.F.R. § 1.213(a)(3), I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral international agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

February 20, 2002
Date

Pamela Downing Brake
Pamela Downing Brake

General Counsel

The Yacobian Group, LLC

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after that date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

STATEMENT UNDER 37 C.F.R. § 3.73(b)Applicant(s): Kim Chung Fung, R. David Nurme, Antoinette Yacobian and Michael Yacobian

Application No.: _____ Filed: _____

For: System and Method for Measuring and Analyzing Performance DataThe Yacobian Group, LLC

(Name of Assignee)

, a

corporation

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is

- A. ☒ the assignee of the entire right, title and interest in the patent application identified above; or
- B. ☐ an assignee together with ☐ of the entire right, title and interest in the patent application identified above. A separate Statement under 37 CFR § 3.73(b) is being submitted.

The right, title and interest of the above-named assignee in the patent application identified above is established by virtue of:

- A. ☒ An assignment from the inventor(s) of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel _____, Frame _____, or a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s) of the patent application identified above, to the current assignee as shown below:

1. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at
Reel _____, Frame _____, or a copy thereof is attached.
2. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at
Reel _____, Frame _____, or a copy thereof is attached.
3. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at
Reel _____, Frame _____, or a copy thereof is attached.

- ☐ Additional documents in the chain of title are listed on a supplemental sheet.

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Date: February 20, 2002Name: Pamela Downing BrakeTitle: General CounselSignature: Pamela Downing Brake